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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NICOLE MIHELICH and MARK)	Case No. 8:15-cv-01098-CJC-JCG
MOSKOWITZ, Individually, And On)	
Behalf Of All Others Similarly Situated,)	JOINT STIPULATION OF
)	DISMISSAL OF ACTION WITH
Plaintiff,)	PREJUDICE AS TO THE NAMED
v.)	PLAINTIFF AND WITHOUT
)	PREJUDICE AS TO THE
CRUNCH, LLC,)	PUTATIVE CLASS
)	
Defendant.)	
)	

NOW COME THE PARTIES by and through their attorneys to respectfully move this Honorable Court to dismiss this matter with prejudice as to the named Plaintiffs, and without prejudice as to the Putative Class alleged in the complaint, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). Each party shall bear their own costs and attorney fees. A proposed order has been concurrently submitted to this Court.

The notice and approval requirements of Federal Rule of Civil Procedure 23(e) are inapplicable to the parties' settlement and dismissal of this putative class action because this action has not been certified as a class.¹

¹ Federal Rule of Civil Procedure 23(e) states "[t]he claims, issues or defenses of a certified class may be settled, voluntarily dismissed, or compromised only with the Court's approval.

1 The Parties agree that this Court can proceed to dismiss this Action entirely
2 with prejudice as to the Named Plaintiffs and without prejudice as to the Putative
3 Class alleged in the complaint.

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5 Respectfully submitted this 19th day of January, 2016

6 By: s/Todd M. Friedman, Esq.
7 TODD M. FRIEDMAN
8 Attorney for Plaintiffs

9
10 By: s/Robert J Herrington, Esq.
11 ROBERT J. HERRINGTON
12 Attorneys for Defendant

1 Filed electronically on this 19th day of January, 2016, with:

2 United States District Court CM/ECF system

3 Notification sent electronically via the Court's ECF system to:

4
5 Honorable Cormac J. Carney
6 United States District Court
7 Central District of California

8 Ian C Ballon
9 Greenberg Traurig LLP

10 Robert J Herrington
11 Greenberg Traurig LLP

12
13 This 19th day of January, 2016

14 s/Todd M. Friedman, Esq.
15 TODD M. FRIEDMAN